



United States Patent and Trademark Office

Trademark Electronic Application System



Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1553 (Rev 09/2005)

OMB No. 0651-0054 (Exp. 10/31/2017)

Trademark/Service Mark Allegation of Use**(Statement of Use/Amendment to Allege Use)****(15 U.S.C. §1051(c) or (d))****TEAS - Version 5.3 : 01/17/2015**

You may file an Allegation of Use *ONLY before* the application to register the mark has been approved for publication OR *after* a Notice of Allowance for the application has been issued.

NOTE: To delete a Section 1(b) filing basis entirely from an application, or as a basis for an entire class, you must use the specific [Request To Delete Section 1\(B\) Basis, Intent To Use](#) form.

WARNING: Unlike with an Amendment to Allege Use filed before an application has been approved for publication, the applicant may not withdraw a Statement of Use (SOU) filed after a Notice of Allowance has been issued if the SOU fails to meet the statutory requirements. 37 C.F.R. §2.88(g); [TMEP §1109.17](#). However, the applicant may file one "insurance" extension request with the SOU, or afterwards, in the limited situation where time remains in the existing six-month period in which the SOU was filed. This would provide additional time to comply with the statutory requirements for filing the SOU. 37 C.F.R. §2.89(e)(1). See [TMEP §§1108.03](#) and [1109.16\(c\)](#).

NOTE: You must complete any field preceded by the symbol "*".

WARNING: This form has a session time limit of 60 minutes. Your "session" began as soon as you accessed this initial Form Wizard page. If you exceed the 60-minute time limit, the form will not validate and you must begin the entire process again; you can, however, [extend the time limit](#). You should always try to have all information required to complete the form prior to starting any session.

*Serial Number: (required only if completing the Trademark/Service Mark Allegation of Use form; otherwise, access saved form, below)

OR

Access **previously saved data** using the "Browse/Choose File" button below to access the file from your local drive. **NOTE: For specific instructions, please click [here](#). FAILURE TO FOLLOW THESE INSTRUCTIONS WILL RESULT IN THE DISPLAY OF YOUR DATA IN AN XML FORMAT THAT CANNOT BE EDITED.** **NOTE: Do NOT attempt to use the button below to upload an image file (for example, a specimen). You must use the button that will be presented for that purpose within the proper section of the actual form.**

If appropriate to file at this time, please answer all of the questions below to create an Allegation of Use form showing only sections relevant to you. Then press the NEXT button. For more information regarding any of the following questions or topics, either go to [HELP](#) or click on the underlined word.

Is the applicant filing a Request to Divide as part of this Allegation of Use?

☐ Yes ☒ No

[Burden/Privacy Statement](#) | [TEAS Form Burden Statement](#)



United States Patent and Trademark Office

Trademark Electronic Application System

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Each field name links to the relevant section of the "[HELP](#)" instructions that will appear on clicking. Fields containing the symbol "*" **must** be completed; all other relevant fields should be completed if the information is known.

Important: ONCE AN APPLICATION IS SUBMITTED ELECTRONICALLY, THE OFFICE WILL IMMEDIATELY PROVIDE THE SENDER WITH AN ELECTRONIC ACKNOWLEDGMENT OF RECEIPT. Please contact teas@uspto.gov within 24 hours of transmission (or by the next business day) if you do not receive this acknowledgment.

Contact Points:

For **general** trademark information, please e-mail TrademarkAssistanceCenter@uspto.gov, or telephone 1-800-786-9199. If you need help in resolving **technical** glitches, please e-mail teas@uspto.gov. Please include your telephone number in your e-mail, so we can talk to you directly, if necessary. For **status** information on an application that has an assigned serial number, use <http://tsdr.uspto.gov>.

NOTE: Do NOT attempt to check status until at least 72 hours after submission of a filing, to allow sufficient time for our databases to be updated.

*** Instructions:**

To file the Allegation of Use electronically, please complete the following steps:

Step 1. Fill out all mandatory fields.

Step 2. Validate the form, using the **Validate** button at the end of the form. If there are errors, go back to step 1.

Step 3. If validation of all mandatory fields is successful, you will be navigated to a confirmation screen.

Serial Number**Mark****Currently Authorized Correspondence****E-mail Address****Primary Email Address:****Secondary Email Address:**

NOTE: If the e-mail address listed above is either no longer correct for receiving USPTO correspondence or contains a typographical error, then make the appropriate change in the "Correspondence Section" of this form, along with a reauthorization for the USPTO to communicate with you by e-mail.

WARNING: For an application filed under TEAS Plus or TEAS RF, the failure to maintain a correct e-mail address for ongoing e-mail communication will result in the loss of TEAS Plus or TEAS RF status and a requirement to pay \$50 per class processing fee.

Extension Of Time

☐ Check here if you are **separately** filing an [Extension Of Time](#) Form in addition to this Allegation of Use.

1. Is a [newly appearing attorney](#) filing this form?

NOTE: Do NOT attempt to appoint a new attorney within this form. If an attorney of record exists, you must use the

[revocation/appointment](#) form for that specific purpose.

☐ Yes ☒ No

2. Do you need to change [correspondence address](#)?

☐ Yes ☒ No

3. Do you need to submit a new drawing of the mark, either to [change the mark](#) itself or [submit a better quality image](#)?

NOTE: A material change to your mark is never permissible. Only minor changes in the mark are *sometimes* permitted. A drawing must be in JPG format.

☐ Yes ☒ No

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Trademark/Service Mark Allegation of Use

(Amendment to Allege Use)

(15 U.S.C. §1051(c))

TEAS - Version 5.3 : 01/17/2015

Owner Information

☐ Check this box to **modify** the owner name that appears below if the name does not identify the current owner of the application.

Note: If this change relates to a change in the correspondence address or e-mail, please use the [Change of Correspondence Address Form](#).

*Name

WARNING: If the name appearing immediately above is not the name of the current owner of the application, you must change the owner information prior to transmission of this form. Please explain any change you make in the "Miscellaneous Statement" field to avoid the possibility of an Office action being issued. **1. Transfer of Mark**

If there has been a transfer of ownership after filing the application, you should record this transfer with the Assignment Services Branch. This can be filed through the USPTO website at <http://etas.uspto.gov>. In the alternative, you may submit evidence of the change in ownership without recording it, by either submitting a copy of the document transferring ownership, or an explanation of the transfer, supported by an affidavit or declaration under 37 C.F.R. §2.20. However, the USPTO records will not be updated and the registration will not issue in the correct owner name unless you record the transfer with the Assignment Branch.

2. Mistake in owner name

If there is a minor clerical error in the owners name or a non-existent legal entity was improperly identified as the owner, this mistake may be corrected on the form with an explanation. NOTE: You may not add a different owner or designate another legal entity as the applicant. For examples of other correctable errors, see TMEP 1201.02(c).

To enter the change in the owner name:

- (1) check the box above (top) that appears to the left of the words "Check here to modify the owner name.";
- (2) delete the name that appears immediately above;
- (3) type in the name of the current owner of the application; and
- (4) explain why you are changing the owner in the "Miscellaneous Statement" field.

Internal Address

*Street Address

NOTE: You must limit your entry here, and for all remaining fields within this overall section (except City, see below), to no more than 40 characters (the storage limit for the USPTO database). You may need to abbreviate some words, e.g., St. instead of Street. Failure to do so may result in an undeliverable address, due to truncation at the 40 character limit.

*City

NOTE: You must limit your entry here to no more than 22 characters.

* State

(Required for U.S. applicants only)

NOTE: You must include as part of the "city" entry any information related to geographical regions (e.g., provinces) not found in the dropdown lists for "States" or "Countries." Enter the city and then the geographical region, separated by a comma (e.g., Toronto, Ontario). In most instances, you will then also have to select the country within which the region is found, below.

*Country or U.S. Territory

* Zip/Postal Code
(Required for U.S. applicants only)

Phone Number

Fax Number

While you may list an e-mail address for the applicant, applicant's attorney, and/or applicant's domestic representative, **only one e-mail address may be used for correspondence**, in accordance with [Office policy](#). You must keep this

Internet E-mail	<p>address current in the Office's records.</p> <p><input type="checkbox"/> Check here to authorize the USPTO to communicate with the applicant or its representative via e-mail.</p> <p><small>NOTE: By checking this box, you acknowledge sole responsibility for receipt of USPTO documents sent via e-mail. You should periodically check the status of your filing through the Trademark Status & Document Retrieval (TSDR) system, to see if the assigned examining attorney has e-mailed an Office Action. If an action has been sent to the provided e-mail address, the USPTO is not responsible for any e-mail not received due to e-mail security or anti-spam software, or any other problems with your e-mail system.</small></p>
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Goods and/or Services Information**WARNING:** If you recently added or deleted a class(es) of goods and/or services, and the correct class(es) are not displayed below, do not use this form. You must wait until the changed data uploads into the USPTO databases, so that the display is correct before proceeding.**WARNING: Registration Subject to Cancellation for Fraudulent Statements****You must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of a trademark registration.** The lack of a bona fide intention to use the mark with all goods and/or services included in an application, or the lack of use on all goods and/or services for which you claim use, could jeopardize the validity of the registration and result in its cancellation.**Enter information for the Class*****[International Class](#):****Current listing of goods/services:**☐ The mark is in use in commerce on or in connection with [all of the goods and/or services listed in the application or Notice of Allowance](#) or as subsequently modified for this specific class.☐ This **allegation of use** does **not** cover this specific class. **All** of the goods/services currently in this class having a Section 1(b), intent-to-use basis, is to be permanently **deleted** from this application.☐ **Deleted Goods or Services:** This **allegation of use** does **NOT** cover the following goods or services listed in either the application or Notice of Allowance or as subsequently modified for this specific class; these goods or services are being **permanently deleted** from this application.**LEAVE THIS SPACE BLANK IF THE FILING COVERS ALL THE GOODS/SERVICES IN THE APPLICATION OR NOTICE OF ALLOWANCE FOR THIS SPECIFIC CLASS. ONLY ENTER THE GOODS/SERVICES TO BE PERMANENTLY DELETED FROM THIS APPLICATION.****Remaining Goods or Services:** The mark is in use in commerce on or in connection with the following goods or services listed in either the application or Notice of Allowance or as subsequently modified for this specific class:**ENTER HOW THE COMPLETE "FINAL" LISTING SHOULD READ THAT WILL IDENTIFY THE GOODS/SERVICES IN USE IN COMMERCE FOR THIS SPECIFIC APPLICATION (I.E., REMOVE THOSE GOODS OR SERVICES IDENTIFIED IN THE PRECEDING BOX). DO NOT ATTEMPT TO ADD OR MODIFY ANY OTHER WORDING, SINCE SUCH CHANGES ARE NOT ALLOWED.****Use Information****NOTE: If deleting an entire class, you can by-pass any fields listed therein as being "mandatory."*****[Specimen File](#):****NOTE:** For an **instructional video** on what is an appropriate specimen for a good or service, click [here](#). (To view video, you must have Windows Media Player installed. For information about downloading Windows Media Player, click [here](#).)**To attach your file, please note that:*****Click on the 'Attach' button to select the file in JPG/PDF format (not exceeding 5 megabytes per attachment) or .WAV, .WMV, .WMA, MP3, .MPG, or .AVI format (not exceeding 5 megabytes for sound files or 30 megabytes for motion files).**

0file(s) attached

[Click here to Attach Specimen\(s\)](#)

*[Describe what the specimen submitted consists of:](#)

*[Date of First Use of Mark Anywhere](#) at least as early as: (MM/DD/YYYY)

*[Date of First Use of Mark in Commerce](#) at least as early as: (MM/DD/YYYY)

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(15 U.S.C. §1051(c))
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Miscellaneous Information

To attach your file, please note that:

*Click on the 'Attach' button to select the file in JPG/PDF format (not exceeding 5 megabytes per attachment) or .WAV, .WMV, .WMA, MP3, .MPG, or .AVI format (not exceeding 5 megabytes for sound files or 30 megabytes for motion files).

[Click here to Attach/Remove Attachments](#)

0 file(s) attached

Miscellaneous Statement: Enter information for which no other section of the form is appropriate.

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FEE INFORMATION

Allegation of Use Filing Fee per Class = \$100

Note: The total fee is computed based on the Number of Classes in which the goods and/or services associated with the mark are classified.

Number of Classes: **1**

Amount for Allegation of Use(Number of Classes x \$100): \$100

Amount

TOTAL AMOUNT = \$

NOTE: Three payment options ([credit card](#), [automated deposit account](#), and [Electronic Funds Transfer](#)) will appear after clicking on the PAY/SUBMIT button, which is available on the bottom of the Validation Page after completing and validating this form.

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Allegation of Use Signature Information

Click to choose ONE [signature method](#):

☒ [Sign directly](#) ☐ [E-mail Text Form to second party for signature](#) ☐ [Handwritten pen-and-ink signature](#)

Electronic Signature

The application will not be "signed" in the sense of a traditional paper document. To verify the contents of the application, the signatory must enter any alpha/numeric character(s) or combination thereof **of his or her choosing**, preceded and followed by the forward slash (/) symbol. The USPTO does **not** determine or pre-approve what the entry should be, but simply presumes that this specific entry has been adopted to serve the function of the signature. Most signatories simply enter their names between the two forward slashes, although acceptable "signatures" could include /john doe/; /jd/; or /123-4567/. The application may still be validated to check for missing information or errors even if the **signature** and **date signed** fields are left blank; however, you must specifically click the button for "Submit application unsigned," above.

DECLARATION

STATEMENTS: The signatory believes that: if the applicant is filing the amendment to allege use under 15 U.S.C. Section 1051(c) or a statement of use under 15 U.S.C. Section 1051(d), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified, and such use by the applicant's related company or licensee inures to the benefit of the applicant; that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive; and the specimen(s) shows the mark as used on or in connection with the goods/services in commerce.

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

* [Signature](#)

* [Date Signed](#)

NOTE: Only one signature is required, regardless of the number of applicants. The person signing for each section may be different, depending on who has the required knowledge to sign. To add a signature option, if appropriate, use the "Add Signatory" button, below.

 (MM/DD/YYYY)

* [Signatory's Name](#)

* [Signatory's Position](#)

NOTE: Enter the appropriate title or the relationship to the applicant - if an individual, enter "Owner," if an attorney, enter "Attorney of record, [specify at least one state] bar member," if an authorized signatory of a business entity enter, e.g., "President," "Vice President," "General Partner" (if a partnership), or "Principal" (if a limited liability company).

[Signatory's Phone Number](#)

[Add Signatory](#)

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[Validate](#)



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(Amendment to Allege Use)

(15 U.S.C. §1051(c))

Validation Page



On **You completed all mandatory fields (but we have not yet determined whether the information is correct). Please continue below either to print the Allegation of Use, download and save it, or electronically pay the filing fee and submit the validated Allegation of Use to the USPTO for filing.**

STEP 1: To review the Allegation of Use data in various formats, click on the appropriate phrase(s) below. Use the print function within your browser to print these pages for your own records.

Application Data

[Input](#)

[Specimen\(s\)](#)

[XML File](#)

[Text Form](#)

STEP 2: If any of the information is incorrect, click on the Go Back to Modify button at the bottom of this page to return to the Allegation of Use form and make changes.

STEP 3: If there are no errors and you are ready to file electronically, confirm the e-mail address for acknowledgment. Once you submit electronically, we will send an electronic acknowledgment of receipt to the e-mail address entered below. If no e-mail address appears, you must enter one. If we should send the acknowledgment to a different e-mail address, or to an additional address(es), please enter the proper address or additional address(es). For **multiple addresses/receipts**, please separate e-mail addresses by either a **semicolon** or a **comma**.
NOTE: This e-mail address is only for the purpose of receiving the acknowledgment that the transmission reached the USPTO, and is not related to the e-mail that will be used for correspondence purposes (although it could be the same address). The official e-mail address that the USPTO will use for any communication is whatever appears in the record for that purpose. If necessary, use the Change of Correspondence address form to update an e-mail address, as it will NOT be changed based on the specific entry below.

* E-mail for acknowledgment

To ensure we can deliver your e-mail confirmation successfully, please re-enter your **e-mail address(es)** here:

* E-mail for acknowledgment

STEP 4: Read and check the following:

Important Notice:

Once you submit an Allegation of Use, either electronically or through the mail, we will not cancel the filing or refund your fee, because it is a processing fee for our substantive review.

☐ If you have read and understand the above notice, please check the box before you click on the **Pay/Submit** button.

STEP 5: To download and save the form, click on the Download [Portable Data](#) button at the bottom of this page. The information will be saved to your local drive. To begin the submission process with saved data, you must open a new form, and click on the "Browse/Choose File" button displayed on the initial form wizard page, at "[OPTIONAL] To access previously-saved data, use the "Browse/Choose File" button below to access the file from your local drive." REMINDER: Do NOT try to open the saved .xml form directly. You must return to the very first page of the form, as if starting a brand new form, and then use the specific "Browse/Choose File" button on that page to import the saved file. Clicking on the "Continue" button at the bottom of that first page will then properly open the saved version of your form.

STEP 6: If you are ready to file electronically:

Click on the Pay/Submit button, below, to access the site where you will select one of three possible payment methods. After successful entry of

payment information, you can complete the submission to the USPTO. A valid transaction will result in a screen that says **SUCCESS!** Also, we will send an e-mail acknowledgment within 24 hours.

WARNING: Click on the Pay/Submit button below **ONLY** if you are now entirely prepared to complete the Pay/Submit process. After clicking the button, you can **NOT** return to the form, since you will have left the TEAS site entirely. Once in the separate payment site, you must complete the Pay/Submit process within 30 minutes. If you are not prepared to complete the process now, you should select the "Download Portable Data" option to save your form, and then complete the Pay/Submit process later. Or, if you have discovered any error, use the "Go Back to Modify" button to make a correction.

WARNING: You can **NOT** make any fee payments by *credit card* from 2 a.m. to 6 a.m. Sunday EST. To file during this specific period, you **must** use either the deposit account or electronic funds transfer payment method; or, you may use the "Download Portable Data" option to save your form, and then complete the Pay/Submit process at a later time with the credit card payment option.

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Download Portable Data

Pay/Submit

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Trademark/Service Mark Amendment to Allege Use

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	
LAW OFFICE ASSIGNED	
EXTENSION OF USE	
MARK SECTION	
MARK	
OWNER SECTION	
NAME	
STREET	
CITY	
ZIP/POSTAL CODE	
COUNTRY	
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	
CURRENT IDENTIFICATION	
GOODS OR SERVICES	
FIRST USE ANYWHERE DATE	
FIRST USE IN COMMERCE DATE	
SPECIMEN FILE NAME(S)	
SPECIMEN DESCRIPTION	
REQUEST TO DIVIDE	
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	100

SIGNATURE SECTION	
DECLARATION SIGNATURE	
SIGNATORY'S NAME	
SIGNATORY'S POSITION	
DATE SIGNED	

Trademark/Service Mark Amendment to Allege Use

Serial Number:

aaa

Specimen:

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Trademark/Service Mark Allegation of Use (15 U.S.C. Section 1051(c))

To the Commissioner for Trademarks:

MARK:

SERIAL NUMBER:

The applicant, _____, having an address of _____

is submitting the following allegation of use information:

For International Class _____:

Current identification:

The mark is in use in commerce on or in connection with all goods or services listed in the application or Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as _____, and first used in commerce at least as early as _____, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) _____.

[Specimen-1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

Declaration

STATEMENTS: The signatory believes that: if the applicant is filing the amendment to allege use under 15 U.S.C. Section 1051(c) or a statement of use under 15 U.S.C. Section 1051(d), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified, and such use by the applicant's related company or licensee inures to the benefit of the applicant; that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive; and the specimen(s) shows the mark as used on or in connection with the goods/services in commerce.

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: Date Signed:
Signatory's Name:
Signatory's Position:

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